IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1000 OF 2007

Shri Suryakant Sitaram Sanas .. Petitioner

Vs.

Shri Laxman Ganapati Sanas & Others .. Respondents

Mr.S.P.Kadam for the Petitioner. .
Mr.S.S.Kanetkar i/b Mr.G.S.Godbole for respondent No. 1. .

CORAM : D.B. BHOSALE, J.
DATE : 4TH JULY, 2007

P.C.

. Heard learned counsel for the parties.

2. This Writ Petition is directed against an order passed on the application at Exhibit-5 filed by the petitioner-plaintiff seeking injunction restraining the respondent - defendant No.1 from causing any obstruction to peaceful possession and further restraining him to create third party interest till disposal of the suit.

3. The application was initially granted by the trial Court vide order dated 13.7.2006. That order has, however, been set aside in Misc. Civil Appeal No. 142 of 2006 vide order dated 8.12.2006

hence the instant writ petition. Having considered the overall facts and circumstances of the case and the nature of dispute between the parties I am satisfied that the following order shall meet the ends of justice:

. The parties are directed to maintain status quo till the disposal of the suit. The trial Court shall decide Regular Civil Suit No.79 of 2006 as expeditiously as possible and preferably within a period of one year from today. The petitioner is directed to produce a copy of this order before the trial Court within four weeks from today. The petition is, accordingly, disposed of.

(D.B. BHOSALE, J.)